

27 F.S.; revising penalties for violations of swearing or
 28 affirming to a false statement on a license or permit
 29 application; amending s. 379.3504, F.S.; revising
 30 penalties for violations relating to entering false
 31 information on a license or permit; amending s.
 32 379.3511, F.S.; revising penalties relating to the
 33 sale of specified licenses and permits by appointed
 34 subagents; amending s. 379.354, F.S.; providing a
 35 penalty for violations relating to possession of
 36 recreational hunting, fishing, and trapping licenses,
 37 permits, and authorization numbers; amending s.
 38 379.357, F.S.; revising penalties for violations
 39 relating to the purchase of a tarpon tag and the sale
 40 of tarpon; amending s. 379.359, F.S.; authorizing,
 41 rather than requiring, the commission to retain a
 42 portion of voluntary contributions to Southeastern
 43 Guide Dogs, Inc.; amending s. 379.363, F.S.; providing
 44 a penalty for violations relating to freshwater fish
 45 dealers' licenses; amending s. 379.364, F.S.;
 46 providing a penalty for violations relating to fur and
 47 hide dealers' licenses; amending s. 379.365, F.S.;
 48 deleting penalty provisions for violations of stone
 49 crab regulations by persons other than commercial
 50 harvesters; amending s. 379.3751, F.S.; providing a
 51 penalty for violations relating to trapping licenses
 52 for taking and possessing alligators; amending s.

53 379.3752, F.S.; providing a penalty for violations
 54 relating to the tagging of alligators and hides;
 55 amending s. 379.401, F.S.; providing penalties for
 56 violations relating to filing reports and documents by
 57 persons who hold alligator licenses and permits;
 58 reducing the penalties for failure to return CITES
 59 tags issued under the Statewide Alligator Harvest
 60 Program and the Stateside Nuisance Alligator Program;
 61 providing an alternative penalty for specified
 62 violations relating to recreational fishing, hunting,
 63 and trapping licenses; increasing the civil penalty
 64 amount for Level One repeat violations; providing that
 65 the unlawful use of any trap is a Level Two violation;
 66 providing that violations relating to record
 67 requirements for alligators is a Level Two violation;
 68 providing that violations relating to the return of
 69 CITES tags issued in a program other than the
 70 Statewide Alligator Harvest Program or the Statewide
 71 Nuisance Alligator Program is a Level Two violation;
 72 deleting penalty provisions for the sale, purchase,
 73 harvest, or attempted harvest of any saltwater product
 74 with intent to sell; providing additional penalties
 75 for the illegal taking of fish and wildlife while
 76 trespassing; repealing s. 379.403, F.S., relating to
 77 the illegal killing, taking, possessing, or selling of
 78 wildlife or game; amending s. 379.409, F.S.; revising

79 penalties for the illegal killing, possessing, or
 80 capturing of alligators or other crocodilia or their
 81 eggs; amending s. 379.411, F.S.; revising penalties
 82 for the intentional killing or wounding of any species
 83 designated as endangered, threatened, or of special
 84 concern; amending s. 379.4115, F.S.; revising
 85 penalties for violations relating to killing a Florida
 86 or wild panther; amending ss. 379.3004, 379.337,
 87 589.19, and 810.09, F.S.; conforming cross-references;
 88 providing an effective date.

89
 90 Be It Enacted by the Legislature of the State of Florida:

91
 92 Section 1. Section 379.101, Florida Statutes, is amended
 93 to read:

94 379.101 Definitions.—In construing this chapter ~~these~~
 95 ~~statutes~~, where the context does not clearly indicate otherwise,
 96 the word, phrase, or term:

97 (1) "Authorization" means a number issued by the Fish and
 98 Wildlife Conservation Commission, or its authorized agent, which
 99 serves in lieu of a license or permits and affords the privilege
 100 purchased for a specified period of time.

101 (2) "Beaches" and "shores" shall mean the coastal and
 102 intracoastal shoreline of this state bordering upon the waters
 103 of the Atlantic Ocean, the Gulf of Mexico, the Straits of
 104 Florida, and any part thereof, and any other bodies of water

105 | under the jurisdiction of the State of Florida, between the mean
 106 | high-water line and as far seaward as may be necessary to
 107 | effectively carry out the purposes of this act.

108 | (3) "Closed season" shall be that portion of the year
 109 | wherein the laws or rules of Florida forbid the taking of
 110 | particular species of game or varieties of fish.

111 | (4) "Coastal construction" includes any work or activity
 112 | which is likely to have a material physical effect on existing
 113 | coastal conditions or natural shore processes.

114 | (5) "Commercial harvester" means any person, firm, or
 115 | corporation that takes, harvests, or attempts to take or harvest
 116 | saltwater products for sale or with intent to sell; that is
 117 | operating under or is required to operate under a license or
 118 | permit or authorization issued pursuant to this chapter; that is
 119 | using gear that is prohibited for use in the harvest of
 120 | recreational amounts of any saltwater product being taken or
 121 | harvested; or that is harvesting any saltwater product in an
 122 | amount that is at least two times the recreational bag limit for
 123 | the saltwater product being taken or harvested.

124 | (6) "Commission" shall mean the Fish and Wildlife
 125 | Conservation Commission.

126 | (7) "Common carrier" shall include any person, firm, or
 127 | corporation, who undertakes for hire, as a regular business, to
 128 | transport persons or commodities from place to place offering
 129 | his or her services to all such as may choose to employ the
 130 | common carrier and pay his or her charges.

131 (8) "Coon oysters" are oysters found growing in bunches
 132 along the shore between high-water mark and low-water mark.

133 (9) "Department" shall mean the Department of
 134 Environmental Protection.

135 (10) "Erosion control," "beach preservation," and
 136 "hurricane protection" shall include any activity, work,
 137 program, project, or other thing deemed necessary by the
 138 Department of Environmental Protection to effectively preserve,
 139 protect, restore, rehabilitate, stabilize, and improve the
 140 beaches and shores of this state, as defined above.

141 (11) "Exhibit" means to present or display upon request.

142 (12) "Finfish" means any member of the classes Agnatha,
 143 Chondrichthyes, or Osteichthyes.

144 (13) "Fish and game" means all fresh and saltwater fish,
 145 shellfish, crustacea, sponges, wild birds, and wild animals.

146 (14) "Fish and wildlife" means any member of the animal
 147 kingdom, including, but not limited to, any mammal, fish, bird,
 148 amphibian, reptile, mollusk, crustacean, arthropod, or other
 149 invertebrate.

150 ~~(15)~~ (14) "Fish management area" means a pond, lake, or
 151 other water within a county, or within several counties,
 152 designated to improve fishing for public use, and established
 153 and specifically circumscribed for authorized management by the
 154 commission and the board of county commissioners of the county
 155 in which such waters lie, under agreement between the commission
 156 and an owner with approval by the board of county commissioners

157 or under agreement with the board of county commissioners for
 158 use of public waters in the county in which such waters lie.

159 (16)~~(15)~~ "Fish pond" means a body of water that does not
 160 occur naturally and that has been constructed and is maintained
 161 primarily for the purpose of fishing.

162 (17)~~(16)~~ "Food fish" shall include mullet, trout, redfish,
 163 sheepshead, pompano, mackerel, bluefish, red snapper, grouper,
 164 black drum, jack crevalle, and all other fish generally used for
 165 human consumption.

166 (18)~~(17)~~ "Fresh water," except where otherwise provided by
 167 law, means all lakes, rivers, canals, and other waterways of
 168 Florida, to such point or points where the fresh and salt waters
 169 commingle to such an extent as to become unpalatable and unfit
 170 for human consumption because of the saline content, or to such
 171 point or points as may be fixed by order of the commission by
 172 and with the consent of the board of county commissioners of the
 173 county or counties to be affected by such order. The
 174 Steinhatchee River shall be considered fresh water from its
 175 source to mouth.

176 (19)~~(18)~~ "Freshwater fish" means all classes of pisces
 177 that are native to freshwater.

178 (20)~~(19)~~ "Fur-bearing animals" means muskrat, mink,
 179 raccoon, otter, civet cat, skunk, red and gray fox, and opossum.

180 (21)~~(20)~~ "Game" means deer, bear, squirrel, rabbits, and,
 181 where designated by commission rules, wild hogs, ducks, geese,
 182 rails, coots, gallinules, snipe, woodcock, wild turkeys, grouse,

183 pheasants, quail, and doves.

184 (22)~~(21)~~ "Guide" shall include any person engaged in the
 185 business of guiding hunters or hunting parties, fishers or
 186 fishing parties, for compensation.

187 (23)~~(22)~~ "Marine fish" means any saltwater species of
 188 finfish of the classes Agnatha, Chondrichthyes, and
 189 Osteichthyes, and marine invertebrates in the classes
 190 Gastropoda, Bivalvia, and Crustacea, or the phylum
 191 Echinodermata, but does not include nonliving shells or
 192 echinoderms.

193 (24)~~(23)~~ "Molest," in connection with any fishing trap or
 194 its buoy or buoy line, means to touch, bother, disturb, or
 195 interfere or tamper with, in any manner.

196 (25)~~(24)~~ A "natural oyster or clam reef" or "bed" or "bar"
 197 shall be considered and defined as an area containing not less
 198 than 100 square yards of the bottom where oysters or clams are
 199 found in a stratum.

200 (26)~~(25)~~ "Nongame" means all species and populations of
 201 native wild vertebrates and invertebrates in the state that are
 202 not defined as game.

203 (27)~~(26)~~ "Nonresident alien" shall mean those individuals
 204 from other nations who can provide documentation from the Bureau
 205 of Citizenship and Immigration Services evidencing permanent
 206 residency status in the United States. For the purposes of this
 207 chapter, a "nonresident alien" shall be considered a
 208 "nonresident."

209 (28)~~(27)~~ "Open season" shall be that portion of the year
 210 wherein the laws of Florida for the preservation of fish and
 211 game permit the taking of particular species of game or
 212 varieties of fish.

213 (29)~~(28)~~ "Private hunting preserve" includes any area set
 214 aside by a private individual or concern on which artificially
 215 propagated game or birds are taken.

216 (30)~~(29)~~ "Reef bunch oysters" are oysters found growing on
 217 the bars or reefs in the open bay and exposed to the air between
 218 high and low tide.

219 (31)~~(30)~~ "Resident" or "resident of Florida" means:

220 (a) For purposes of part VII, a citizen of the United
 221 States who has continuously resided in this state for 1 year
 222 before applying for a hunting, fishing, or other license.
 223 However, for purposes of ss. 379.363, 379.364, 379.3711,
 224 379.3712, 379.372, 379.373, 379.374, 379.3751, 379.3752,
 225 379.3761, and 379.3762, the term means a citizen of the United
 226 States who has continuously resided in this state for 6 months
 227 before applying for a hunting, fishing, or other license.

228 (b) For purposes of part VI:

229 1. A member of the United States Armed Forces who is
 230 stationed in the state and his or her family members residing
 231 with such member; or

232 2. A person who has declared Florida as his or her only
 233 state of residence as evidenced by a valid Florida driver
 234 license or identification card that has both a Florida address

235 and a Florida residency verified by the Department of Highway
 236 Safety and Motor Vehicles, or, in the absence thereof, one of
 237 the following:

- 238 a. A current Florida voter information card;
- 239 b. A sworn statement manifesting and evidencing domicile
 240 in Florida in accordance with s. 222.17;
- 241 c. Proof of a current Florida homestead exemption; or
- 242 d. For a child younger than 18 years of age, a student
 243 identification card from a Florida school or, if accompanied by
 244 his or her parent at the time of purchase, the parent's proof of
 245 residency.

246 (32)~~(31)~~ "Resident alien" means a person who has
 247 continuously resided in this state for at least 1 year and can
 248 provide documentation from the Bureau of Citizenship and
 249 Immigration Services evidencing permanent residency status in
 250 the United States. For the purposes of this chapter, a "resident
 251 alien" is considered a "resident."

252 (33)~~(32)~~ "Restricted species" means any species of
 253 saltwater products which the state by law, or the Fish and
 254 Wildlife Conservation Commission by rule, has found it necessary
 255 to so designate. The term includes a species of saltwater
 256 products designated by the commission as restricted within a
 257 geographical area or during a particular time period of each
 258 year. Designation as a restricted species does not confer the
 259 authority to sell a species pursuant to s. 379.361 if the law or
 260 rule prohibits the sale of the species.

261 (34)~~(33)~~ "Salt water," except where otherwise provided by
 262 law, shall be all of the territorial waters of Florida excluding
 263 all lakes, rivers, canals, and other waterways of Florida from
 264 such point or points where the fresh and salt waters commingle
 265 to such an extent as to become unpalatable because of the saline
 266 content, or from such point or points as may be fixed for
 267 conservation purposes by the Department of Environmental
 268 Protection and the Fish and Wildlife Conservation Commission,
 269 with the consent and advice of the board of county commissioners
 270 of the county or counties to be affected.

271 (35)~~(34)~~ "Saltwater fish" means:

272 (a) Any saltwater species of finfish of the classes
 273 Agnatha, Chondrichthyes, or Osteichthyes and marine
 274 invertebrates of the classes Gastropoda, Bivalvia, or Crustacea,
 275 or of the phylum Echinodermata, but does not include nonliving
 276 shells or echinoderms; and

277 (b) All classes of pisces, shellfish, sponges, and
 278 crustacea native to salt water.

279 (36)~~(35)~~ "Saltwater license privileges," except where
 280 otherwise provided by law, means any license, endorsement,
 281 certificate, or permit issued pursuant to this chapter.

282 (37)~~(36)~~ "Saltwater products" means any species of
 283 saltwater fish, marine plant, or echinoderm, except shells, and
 284 salted, cured, canned, or smoked seafood.

285 (38)~~(37)~~ "Shellfish" shall include oysters, clams, and
 286 whelks.

287 (39)~~(38)~~ "Take" means taking, attempting to take,
 288 pursuing, hunting, molesting, capturing, or killing any wildlife
 289 or freshwater or saltwater fish, or their nests or eggs, by any
 290 means, whether or not such actions result in obtaining
 291 possession of such wildlife or freshwater or saltwater fish or
 292 their nests or eggs.

293 (40)~~(39)~~ "Transport" shall include shipping, transporting,
 294 carrying, importing, exporting, receiving or delivering for
 295 shipment, transportation or carriage or export.

296 Section 2. Section 379.2223, Florida Statutes, is amended
 297 to read:

298 379.2223 Control and management of state game lands.—

299 (1) The Fish and Wildlife Conservation Commission is
 300 authorized to make, adopt, promulgate, amend, repeal, and
 301 enforce all reasonable rules and regulations necessary for the
 302 protection, control, operation, management, or development of
 303 lands or waters owned by, leased by, or otherwise assigned to,
 304 the commission for fish or wildlife management purposes,
 305 including, but not ~~being~~ limited to, the right of ingress and
 306 egress. Before any such rule or regulation is adopted, other
 307 than one relating to wild animal life, marine life, or
 308 freshwater aquatic life, the commission shall obtain the consent
 309 and agreement, in writing, of the owner, in the case of
 310 privately owned lands or waters, or the owner or primary
 311 custodian, in the case of public lands or waters.

312 (2) A person who violates a rule or regulation adopted

313 pursuant to this section is subject to penalties as provided in
 314 s. 379.401 ~~Any person violating or otherwise failing to comply~~
 315 ~~with any rule or regulation so adopted commits a misdemeanor of~~
 316 ~~the second degree, punishable as provided in s. 775.082 or s.~~
 317 ~~775.083.~~

318 Section 3. Subsection (3) of section 379.2257, Florida
 319 Statutes, is amended to read:

320 379.2257 Cooperative agreements with United States U.S.
 321 Forest Service; penalty.—The Fish and Wildlife Conservation
 322 Commission is authorized and empowered:

323 (3) In addition to the requirements of chapter 120, notice
 324 of the making and ~~adoption, and promulgation of the above~~ rules
 325 and regulations pursuant to this section shall be given by
 326 posting the said notices, ~~or~~ copies of the rules and
 327 regulations, ~~in~~ the offices of the county judges and in the post
 328 offices within the area to be affected and within 10 miles
 329 thereof. In addition to the posting of the said notices, ~~as~~
 330 ~~aforsaid,~~ copies of the said notices or ~~of said~~ rules and
 331 regulations shall ~~also~~ be published in newspapers published at
 332 the county seats of Baker, Columbia, Marion, Lake, Putnam, and
 333 Liberty Counties, or so many thereof as have newspapers, once
 334 between 28 and ~~not more than 35 nor less than 28~~ days and once
 335 between 14 and ~~not more than 21 nor less than 14~~ days before
 336 ~~prior to~~ the opening of the state hunting season in those said
 337 areas. A Any person who violates ~~violating~~ any rules or
 338 regulations of promulgated by the commission to manage such

339 ~~cover these areas under cooperative agreements between the Fish~~
 340 ~~and Wildlife Conservation~~ commission and the United States
 341 Forest Service is subject to penalties as provided in s.
 342 379.401, ~~none of which shall be in conflict with the laws of~~
 343 ~~Florida, shall be guilty of a misdemeanor of the second degree,~~
 344 ~~punishable as provided in s. 775.082 or s. 775.083.~~

345 Section 4. Paragraph (a) of subsection (2) of section
 346 379.2425, Florida Statutes, is amended, and subsection (4) is
 347 added to that section, to read:

348 379.2425 Spearfishing; definition; limitations; penalty.—

349 (2) (a) Except as otherwise provided by commission rule or
 350 order, spearfishing is prohibited within the boundaries of the
 351 John Pennekamp Coral Reef State Park, the waters of Collier
 352 County, and the area in Monroe County known as Upper Keys, which
 353 includes all salt waters under the jurisdiction of the ~~Fish and~~
 354 ~~Wildlife Conservation~~ commission beginning at the county line
 355 between Miami-Dade and Monroe Counties and running south,
 356 including all of the keys down to and including Long Key.

357 (4) A person who violates this section commits a Level Two
 358 violation under s. 379.401.

359 Section 5. Subsection (2) of section 379.29, Florida
 360 Statutes, is amended to read:

361 379.29 Contaminating fresh waters.—

362 (2) A Any person, firm, or corporation that violates
 363 violating any of the provisions of this section commits a Level
 364 Two violation under s. 379.401 shall be guilty of a misdemeanor

365 ~~of the second degree, punishable as provided in s. 775.082 or s.~~
 366 ~~775.083 for the first offense, and for the second or subsequent~~
 367 ~~offense shall be guilty of a misdemeanor of the first degree,~~
 368 ~~punishable as provided in s. 775.082 or s. 775.083.~~

369 Section 6. Section 379.295, Florida Statutes, is amended
 370 to read:

371 379.295 Use of explosives and other substances or force
 372 prohibited.—~~A No~~ person may not throw or place, or cause to be
 373 thrown or placed, any dynamite, lyddite, gunpowder, cannon
 374 cracker, acids, filtration discharge, debris from mines, Indian
 375 berries, sawdust, green walnuts, walnut leaves, creosote, oil,
 376 or other explosives or deleterious substance or force into the
 377 fresh waters of this state whereby fish therein are or may be
 378 injured. Nothing in this section may be construed as preventing
 379 the release of water slightly discolored by mining operations or
 380 water escaping from such operations as the result of
 381 providential causes. A person who violates this section commits
 382 a Level Two violation under s. 379.401.

383 Section 7. Section 379.33, Florida Statutes, is amended to
 384 read:

385 379.33 Enforcement of commission rules; ~~penalties for~~
 386 ~~violation of rule.~~—Rules of the ~~Fish and Wildlife Conservation~~
 387 commission shall be enforced by any law enforcement officer
 388 certified pursuant to s. 943.13. ~~Except as provided under s.~~
 389 ~~379.401, any person who violates or otherwise fails to comply~~
 390 ~~with any rule adopted by the commission shall be punished~~

391 ~~pursuant to s. 379.407(1).~~

392 Section 8. Section 379.3502, Florida Statutes, is amended
393 to read:

394 379.3502 License and permit not transferable.—A person may
395 not ~~alter or change in any manner, or~~ loan or transfer to
396 another person, unless otherwise provided by commission rule or
397 order, any license or permit issued pursuant to ~~the provisions~~
398 ~~of~~ this chapter, and a ~~nor may any other~~ person, other than the
399 person to whom the license or permit ~~it~~ is issued, may not use a
400 borrowed or transferred license or permit the same. A person who
401 violates this section commits a Level Two violation under s.
402 379.401.

403 Section 9. Section 379.3503, Florida Statutes, is amended
404 to read:

405 379.3503 False statement in application for license or
406 permit.—A Any person who swears or affirms to any false
407 statement in any application for a license or permit provided by
408 this chapter commits a Level Two violation under, ~~is guilty of~~
409 ~~violating this chapter, and shall be subject to the penalty~~
410 ~~provided in s. 379.401~~, and any false statement contained in any
411 application for such license or permit renders the license or
412 permit void.

413 Section 10. Section 379.3504, Florida Statutes, is amended
414 to read:

415 379.3504 Entering false information on licenses or
416 permits.—Whoever knowingly and willfully enters false

417 information on, or allows or causes false information to be
 418 entered on or shown upon, any license or permit issued under the
 419 ~~provisions of this chapter in order to avoid prosecution or to~~
 420 assist another in avoiding ~~to avoid~~ prosecution, or for any
 421 other wrongful purpose, commits a Level Two violation under
 422 ~~shall be punished as provided in s. 379.401.~~

423 Section 11. Paragraphs (d), (e), and (f) of subsection (1)
 424 of section 379.3511, Florida Statutes, are amended, and
 425 subsection (4) is added to that section, to read:

426 379.3511 Appointment of subagents for the sale of hunting,
 427 fishing, and trapping licenses and permits.—

428 (1) Subagents shall serve at the pleasure of the
 429 commission. The commission may establish, by rule, procedures
 430 for the selection and appointment of subagents. The following
 431 are requirements for appointed subagents ~~so appointed~~:

432 ~~(d) Any person who willfully violates any of the~~
 433 ~~provisions of this section commits a misdemeanor of the second~~
 434 ~~degree, punishable as provided in s. 775.082 or s. 775.083.~~

435 (d)(e) A subagent may charge and receive as his or her
 436 compensation 50 cents for each license or permit sold. This
 437 charge is in addition to the sum required by law to be collected
 438 for the sale and issuance of each license or permit. This charge
 439 does not apply to the shoreline fishing license; however, for
 440 each shoreline fishing license issued, the subagent may retain
 441 50 cents from other license proceeds otherwise due the
 442 commission.

443 (e)~~(f)~~ A subagent shall submit payment for and report the
 444 sale of licenses and permits to the commission as prescribed by
 445 the commission.

446 (4) A person who willfully violates this section commits a
 447 Level Two violation under s. 379.401.

448 Section 12. Subsection (18) is added to section 379.354,
 449 Florida Statutes, to read:

450 379.354 Recreational licenses, permits, and authorization
 451 numbers; fees established.—

452 (18) VIOLATION OF SECTION.—Unless otherwise provided by
 453 law, a person who violates this section commits a Level One
 454 violation under s. 379.401.

455 Section 13. Subsections (3) through (7) of section
 456 379.357, Florida Statutes, are amended to read:

457 379.357 Fish and Wildlife Conservation Commission license
 458 program for tarpon; fees; penalties.—

459 (3) A person ~~An individual~~ may not take, kill, or possess
 460 any fish of the species *Megalops atlanticus*, commonly known as
 461 tarpon, unless the person ~~individual~~ has purchased a tarpon tag
 462 and securely attached it through the lower jaw of the fish.

463 ~~(4) Any individual including a taxidermist who possesses a~~
 464 ~~tarpon which does not have a tag securely attached as required~~
 465 ~~by this section commits a Level Two violation under s. 379.401.~~
 466 ~~Provided, however,~~ A taxidermist may remove the tag during the
 467 process of mounting a tarpon. The removed tag shall remain with
 468 the fish during any subsequent storage or shipment. The purchase

469 of a tarpon tag does not authorize the purchaser to harvest or
 470 possess tarpon in violation of commission rules. A person who
 471 violates this subsection commits a Level Two violation under s.
 472 379.401.

473 ~~(4)(5) A person Purchase of a tarpon tag shall not accord~~
 474 ~~the purchaser any right to harvest or possess tarpon in~~
 475 ~~contravention of rules adopted by the commission. No individual~~
 476 may not sell, offer for sale, barter, exchange for merchandise,
 477 transport for sale, either within or without the state, offer to
 478 purchase, or purchase any species of fish known as tarpon. A
 479 person who violates this subsection commits a Level Three
 480 violation under s. 379.401.

481 ~~(5)(6) The commission shall prescribe and provide suitable~~
 482 forms and tags necessary to carry out the provisions of this
 483 section.

484 ~~(6)(7) The provisions of This section does shall~~ not apply
 485 to anyone who immediately returns a tarpon uninjured to the
 486 water at the place where the fish was caught.

487 Section 14. Section 379.359, Florida Statutes, is amended
 488 to read:

489 379.359 License application provision for voluntary
 490 contribution to Southeastern Guide Dogs, Inc.—The application
 491 for any license for recreational activities issued under this
 492 part must include a check-off provision that permits the
 493 applicant for licensure to make a voluntary contribution of \$2.
 494 The ~~Fish and Wildlife Conservation~~ commission may ~~shall~~ retain

495 up to 90 cents from each contribution to cover administrative
 496 costs. The remainder shall be distributed quarterly by the ~~Fish~~
 497 ~~and Wildlife Conservation~~ commission to Southeastern Guide Dogs,
 498 Inc., located in Palmetto. Southeastern Guide Dogs, Inc., shall
 499 use the contributions to breed, raise, and train guide dogs for
 500 the blind, specifically for the "Paws for Patriots" program,
 501 including in-residence training for veterans who are provided
 502 guide dogs by Southeastern Guide Dogs, Inc.

503 Section 15. Subsection (4) is added to section 379.363,
 504 Florida Statutes, to read:

505 379.363 Freshwater fish dealer's license.—

506 (4) A person who violates this section commits a Level Two
 507 violation under s. 379.401.

508 Section 16. Subsection (5) is added to section 379.364,
 509 Florida Statutes, to read:

510 379.364 License required for fur and hide dealers.—

511 (5) A person who violates this section commits a Level Two
 512 violation under s. 379.401.

513 Section 17. Paragraph (a) of subsection (2) of section
 514 379.365, Florida Statutes, is amended to read:

515 379.365 Stone crab; regulation.—

516 (2) PENALTIES.—For purposes of this subsection, conviction
 517 is any disposition other than acquittal or dismissal, regardless
 518 of whether the violation was adjudicated under any state or
 519 federal law.

520 (a) It is unlawful to violate commission rules regulating

521 stone crab trap certificates and trap tags. No person may use an
 522 expired tag or a stone crab trap tag not issued by the
 523 commission or possess or use a stone crab trap in or on state
 524 waters or adjacent federal waters without having a trap tag
 525 required by the commission firmly attached thereto.

526 ~~1.~~ In addition to any other penalties provided in s.
 527 379.407, for a ~~any~~ commercial harvester who violates this
 528 paragraph, the following administrative penalties apply:—

529 1.a. For a first violation, the commission shall assess an
 530 administrative penalty of up to \$1,000.

531 2.b. For a second violation that occurs within 24 months
 532 after ~~of~~ any previous such violation, the commission shall
 533 assess an administrative penalty of up to \$2,000 and the stone
 534 crab endorsement under which the violation was committed may be
 535 suspended for 12 calendar months.

536 3.c. For a third violation that occurs within 36 months
 537 after ~~of~~ any previous two such violations, the commission shall
 538 assess an administrative penalty of up to \$5,000 and the stone
 539 crab endorsement under which the violation was committed may be
 540 suspended for 24 calendar months.

541 4.d. A fourth violation that occurs within 48 months after
 542 ~~of~~ any three previous such violations, shall result in permanent
 543 revocation of all of the violator's saltwater fishing
 544 privileges, including having the commission proceed against the
 545 endorsement holder's saltwater products license in accordance
 546 with s. 379.407.

547 ~~2. Any other person who violates the provisions of this~~
 548 ~~paragraph commits a Level Two violation under s. 379.401.~~

549
 550 Any commercial harvester assessed an administrative penalty
 551 under this paragraph shall, within 30 calendar days after
 552 notification, pay the administrative penalty to the commission,
 553 or request an administrative hearing under ss. 120.569 and
 554 120.57. The proceeds of all administrative penalties collected
 555 under this paragraph shall be deposited in the Marine Resources
 556 Conservation Trust Fund.

557 Section 18. Subsection (5) is added to section 379.3751,
 558 Florida Statutes, to read:

559 379.3751 Taking and possession of alligators; trapping
 560 licenses; fees.—

561 (5) A person who violates this section commits a Level Two
 562 violation under s. 379.401.

563 Section 19. Subsection (3) is added to section 379.3752,
 564 Florida Statutes, to read:

565 379.3752 Required tagging of alligators and hides; fees;
 566 revenues.—The tags provided in this section shall be required in
 567 addition to any license required under s. 379.3751.

568 (3) A person who violates this section commits a Level Two
 569 violation under s. 379.401.

570 Section 20. Subsections (1) through (5) of section
 571 379.401, Florida Statutes, are amended to read:

572 379.401 Penalties and violations; civil penalties for

573 noncriminal infractions; criminal penalties; suspension and
 574 forfeiture of licenses and permits.—

575 (1) (a) LEVEL ONE VIOLATIONS.—A person commits a Level One
 576 violation if he or she violates any of the following provisions:

577 1. Rules or orders of the commission relating to the
 578 filing of reports or other documents required to be filed by
 579 persons who hold any recreational licenses and permits or any
 580 alligator licenses and permits issued by the commission.

581 2. Rules or orders of the commission relating to quota
 582 hunt permits, daily use permits, hunting zone assignments,
 583 camping, alcoholic beverages, vehicles, and check stations
 584 within wildlife management areas or other areas managed by the
 585 commission.

586 3. Rules or orders of the commission relating to daily use
 587 permits, alcoholic beverages, swimming, possession of firearms,
 588 operation of vehicles, and watercraft speed within fish
 589 management areas managed by the commission.

590 4. Rules or orders of the commission relating to vessel
 591 size or specifying motor restrictions on specified water bodies.

592 5. Rules or orders of the commission requiring the return
 593 of unused CITES tags issued under the Statewide Alligator
 594 Harvest Program or the Statewide Nuisance Alligator Program.

595 6. Section 379.3003, prohibiting deer hunting unless
 596 required clothing is worn.

597 ~~7.5.~~ Section 379.354(1)-(15), providing for recreational
 598 licenses to hunt, fish, and trap.

599 ~~8.6.~~ Section 379.3581, providing hunter safety course
600 requirements.

601 ~~7. Section 379.3003, prohibiting deer hunting unless~~
602 ~~required clothing is worn.~~

603 (b) A person who commits a Level One violation commits a
604 noncriminal infraction and shall be cited to appear before the
605 county court.

606 (c)1. The civil penalty for committing a Level One
607 violation involving the license and permit requirements of s.
608 379.354 is \$50 plus the cost of the license or permit, unless
609 subparagraph 2. applies. Alternatively, except for a person who
610 violates s. 379.354(6), (7), (8)(f), or (8)(h), a person who
611 violates the license and permit requirements of s. 379.354 and
612 is subject to the penalties of this subparagraph may purchase
613 the license or permit, provide proof of such license or permit,
614 and pay a civil penalty of \$50.

615 2. The civil penalty for committing a Level One violation
616 involving the license and permit requirements of s. 379.354 is
617 \$250 ~~\$100~~ plus the cost of the license or permit if the person
618 cited has previously committed the same Level One violation
619 within the preceding 36 months. Alternatively, except for a
620 person who violates s. 379.354(6), (7), (8)(f), or (8)(h), a
621 person who violates the license and permit requirements of s.
622 379.354 and is subject to the penalties of this subparagraph may
623 purchase the license or permit, provide proof of such license or
624 permit, and pay a civil penalty of \$250.

625 (d)1. The civil penalty for any other Level One violation
 626 is \$50 unless subparagraph 2. applies.

627 2. The civil penalty for any other Level One violation is
 628 \$250 ~~\$100~~ if the person cited has previously committed the same
 629 Level One violation within the preceding 36 months.

630 (e) A person cited for a Level One violation shall sign
 631 and accept a citation to appear before the county court. The
 632 issuing officer may indicate on the citation the time and
 633 location of the scheduled hearing and shall indicate the
 634 applicable civil penalty.

635 (f) A person cited for a Level One violation may pay the
 636 civil penalty, and, if applicable, provide proof of the license
 637 or permit required under s. 379.354 by mail or in person within
 638 30 days after receipt of the citation. If the civil penalty is
 639 paid, the person shall be deemed to have admitted committing the
 640 Level One violation and to have waived his or her right to a
 641 hearing before the county court. Such admission may not be used
 642 as evidence in any other proceedings except to determine the
 643 appropriate fine for any subsequent violations.

644 (g) A person who refuses to accept a citation, who fails
 645 to pay the civil penalty for a Level One violation, or who fails
 646 to appear before a county court as required commits a
 647 misdemeanor of the second degree, punishable as provided in s.
 648 775.082 or s. 775.083.

649 (h) A person who elects to appear before the county court
 650 or who is required to appear before the county court shall be

651 deemed to have waived the limitations on civil penalties
 652 provided under paragraphs (c) and (d). After a hearing, the
 653 county court shall determine if a Level One violation has been
 654 committed, and if so, may impose a civil penalty of not less
 655 than \$50 for a first-time violation, and not more than \$500 for
 656 subsequent violations. A person found guilty of committing a
 657 Level One violation may appeal that finding to the circuit
 658 court. The commission of a violation must be proved beyond a
 659 reasonable doubt.

660 (i) A person cited for violating the requirements of s.
 661 379.354 relating to personal possession of a license or permit
 662 may not be convicted if, before ~~prior to~~ or at the time of a
 663 county court hearing, the person produces the required license
 664 or permit for verification by the hearing officer or the court
 665 clerk. The license or permit must have been valid at the time
 666 the person was cited. The clerk or hearing officer may assess a
 667 \$10 fee for costs under this paragraph.

668 (2) (a) LEVEL TWO VIOLATIONS.—A person commits a Level Two
 669 violation if he or she violates any of the following provisions:

670 1. Rules or orders of the commission relating to seasons
 671 or time periods for the taking of wildlife, freshwater fish, or
 672 saltwater fish.

673 2. Rules or orders of the commission establishing bag,
 674 possession, or size limits or restricting methods of taking
 675 wildlife, freshwater fish, or saltwater fish.

676 3. Rules or orders of the commission prohibiting access or

677 otherwise relating to access to wildlife management areas or
 678 other areas managed by the commission.

679 4. Rules or orders of the commission relating to the
 680 feeding of saltwater fish.

681 5. Rules or orders of the commission relating to landing
 682 requirements for freshwater fish or saltwater fish.

683 6. Rules or orders of the commission relating to
 684 restricted hunting areas, critical wildlife areas, or bird
 685 sanctuaries.

686 7. Rules or orders of the commission relating to tagging
 687 requirements for wildlife and fur-bearing animals.

688 8. Rules or orders of the commission relating to the use
 689 of dogs for the taking of wildlife.

690 9. Rules or orders of the commission which are not
 691 otherwise classified.

692 10. Rules or orders of the commission prohibiting the
 693 unlawful use of ~~finfish~~ traps, unless otherwise provided by law.

694 11. Rules or orders of the commission requiring the
 695 maintenance of records relating to alligators.

696 12. Rules or orders of the commission requiring the return
 697 of unused CITES tags issued under an alligator program other
 698 than the Statewide Alligator Harvest Program or the Statewide
 699 Nuisance Alligator Program.

700 ~~13.11.~~ All requirements or prohibitions under ~~in~~ this
 701 chapter which are not otherwise classified.

702 14. Section 379.105, prohibiting the intentional

- 703 harassment of hunters, fishers, or trappers.
- 704 15. Section 379.2421, relating to fishers and equipment.
- 705 16. Section 379.2425, relating to spearfishing.
- 706 17. Section 379.29, prohibiting the contamination of fresh
 707 waters.
- 708 18. Section 379.295, prohibiting the use of explosives and
 709 other substances or force in fresh waters.
- 710 19. Section 379.3502, prohibiting the loan or transfer of
 711 a license or permit and the use of a borrowed or transferred
 712 license or permit.
- 713 20. Section 379.3503, prohibiting false statements in an
 714 application for a license or permit.
- 715 21. Section 379.3504, prohibiting entering false
 716 information on licenses or permits.
- 717 22. Section 379.3511, relating to the sale of hunting,
 718 fishing, and trapping licenses and permits by subagents.
- 719 23. Section 379.357(3), prohibiting the taking, killing,
 720 or possession of tarpon without purchasing a tarpon tag.
- 721 24. Section 379.363, relating to freshwater fish dealer
 722 licenses.
- 723 25. Section 379.364, relating to fur and hide dealer
 724 licenses.
- 725 26. Section 379.365(2)(b), prohibiting the theft of stone
 726 crab trap contents or trap gear.
- 727 27. Section 379.366(4)(b), prohibiting the theft of blue
 728 crab trap contents or trap gear.

- 729 28. Section 379.3671(2)(c), except s. 379.3671(2)(c)5.,
 730 prohibiting the theft of spiny lobster trap contents or trap
 731 gear.
- 732 29. Section 379.3751, relating to licenses for the taking
 733 and possession of alligators.
- 734 30. Section 379.3752, relating to tagging requirements for
 735 alligators and hides.
- 736 ~~12. Section 379.33, prohibiting the violation of or~~
 737 ~~noncompliance with commission rules.~~
- 738 ~~13. Section 379.407(7), prohibiting the sale, purchase,~~
 739 ~~harvest, or attempted harvest of any saltwater product with~~
 740 ~~intent to sell.~~
- 741 ~~14. Section 379.2421, prohibiting the obstruction of~~
 742 ~~waterways with net gear.~~
- 743 ~~31.15.~~ Section 379.413, prohibiting the unlawful taking of
 744 bonefish.
- 745 ~~16. Section 379.365(2)(a) and (b), prohibiting the~~
 746 ~~possession or use of stone crab traps without trap tags and~~
 747 ~~theft of trap contents or gear.~~
- 748 ~~17. Section 379.366(4)(b), prohibiting the theft of blue~~
 749 ~~crab trap contents or trap gear.~~
- 750 ~~18. Section 379.3671(2)(c), prohibiting the possession or~~
 751 ~~use of spiny lobster traps without trap tags or certificates and~~
 752 ~~theft of trap contents or trap gear.~~
- 753 ~~19. Section 379.357, prohibiting the possession of tarpon~~
 754 ~~without purchasing a tarpon tag.~~

755 ~~20. Section 379.105, prohibiting the intentional~~
 756 ~~harassment of hunters, fishers, or trappers.~~

757 (b)1. A person who commits a Level Two violation but who
 758 has not been convicted of a Level Two or higher violation within
 759 the past 3 years commits a misdemeanor of the second degree,
 760 punishable as provided in s. 775.082 or s. 775.083.

761 2. Unless the stricter penalties in subparagraph 3. or
 762 subparagraph 4. apply, a person who commits a Level Two
 763 violation within 3 years after a previous conviction for a Level
 764 Two or higher violation commits a misdemeanor of the first
 765 degree, punishable as provided in s. 775.082 or s. 775.083, with
 766 a minimum mandatory fine of \$250.

767 3. Unless the stricter penalties in subparagraph 4. apply,
 768 a person who commits a Level Two violation within 5 years after
 769 two previous convictions for a Level Two or higher violation,
 770 commits a misdemeanor of the first degree, punishable as
 771 provided in s. 775.082 or s. 775.083, with a minimum mandatory
 772 fine of \$500 and a suspension of any recreational license or
 773 permit issued under s. 379.354 for 1 year. Such suspension shall
 774 include the suspension of the privilege to obtain such license
 775 or permit and the suspension of the ability to exercise any
 776 privilege granted under any exemption in s. 379.353.

777 4. A person who commits a Level Two violation within 10
 778 years after three previous convictions for a Level Two or higher
 779 violation commits a misdemeanor of the first degree, punishable
 780 as provided in s. 775.082 or s. 775.083, with a minimum

781 mandatory fine of \$750 and a suspension of any recreational
 782 license or permit issued under s. 379.354 for 3 years. Such
 783 suspension shall include the suspension of the privilege to
 784 obtain such license or permit and the suspension of the ability
 785 to exercise any privilege granted under s. 379.353. If the
 786 recreational license or permit being suspended was an annual
 787 license or permit, any privileges under ss. 379.353 and 379.354
 788 may not be acquired for a 3-year period following the date of
 789 the violation.

790 (3) (a) LEVEL THREE VIOLATIONS.—A person commits a Level
 791 Three violation if he or she violates any of the following
 792 provisions:

793 1. Rules or orders of the commission prohibiting the sale
 794 of saltwater fish.

795 2. Rules or orders of the commission prohibiting the
 796 illegal importation or possession of exotic marine plants or
 797 animals.

798 ~~3. Section 379.407(2), establishing major violations.~~

799 ~~4. Section 379.407(4), prohibiting the possession of
 800 certain finfish in excess of recreational daily bag limits.~~

801 3.5. Section 379.28, prohibiting the importation of
 802 freshwater fish.

803 4. Section 379.3014, prohibiting the illegal sale or
 804 possession of alligators.

805 ~~5.6.~~ Section 379.354(17), prohibiting the taking of game,
 806 freshwater fish, or saltwater fish while a required license is

807 | suspended or revoked.

808 | 6. Section 379.357(4), prohibiting the sale, transfer, or
 809 | purchase of tarpon.

810 | ~~7. Section 379.3014, prohibiting the illegal sale or~~
 811 | ~~possession of alligators.~~

812 | ~~7.8.~~ Section 379.404(1), (3), and (6), prohibiting the
 813 | illegal taking and possession of deer and wild turkey.

814 | ~~8.9.~~ Section 379.406, prohibiting the possession and
 815 | transportation of commercial quantities of freshwater game fish.

816 | 9. Section 379.407(2), establishing major violations.

817 | 10. Section 379.407(4), prohibiting the possession of
 818 | certain finfish in excess of recreational daily bag limits.

819 | (b)1. A person who commits a Level Three violation but who
 820 | has not been convicted of a Level Three or higher violation
 821 | within the past 10 years commits a misdemeanor of the first
 822 | degree, punishable as provided in s. 775.082 or s. 775.083.

823 | 2. A person who commits a Level Three violation within 10
 824 | years after a previous conviction for a Level Three or higher
 825 | violation commits a misdemeanor of the first degree, punishable
 826 | as provided in s. 775.082 or s. 775.083, with a minimum
 827 | mandatory fine of \$750 and a suspension of any recreational
 828 | license or permit issued under s. 379.354 for the remainder of
 829 | the period for which the license or permit was issued up to 3
 830 | years. Such suspension shall include the suspension of the
 831 | privilege to obtain such license or permit and the ability to
 832 | exercise any privilege granted under s. 379.353. If the

833 recreational license or permit being suspended was an annual
 834 license or permit, any privileges under ss. 379.353 and 379.354
 835 may not be acquired for a 3-year period following the date of
 836 the violation.

837 3. A person who commits a violation of s. 379.354(17)
 838 shall receive a mandatory fine of \$1,000. Any privileges under
 839 ss. 379.353 and 379.354 may not be acquired for a 5-year period
 840 following the date of the violation.

841 (4) (a) LEVEL FOUR VIOLATIONS.—A person commits a Level
 842 Four violation if he or she violates any of the following
 843 provisions:

844 1. Section 379.354(16), prohibiting the making, forging,
 845 counterfeiting, or reproduction of a recreational license or the
 846 possession of same without authorization from the commission.

847 ~~2.1.~~ Section 379.365(2)(c), prohibiting criminal
 848 activities relating to the taking of stone crabs.

849 ~~3.2.~~ Section 379.366(4)(c), prohibiting criminal
 850 activities relating to the taking and harvesting of blue crabs.

851 ~~4.3.~~ Section 379.367(4), prohibiting the willful
 852 molestation of spiny lobster gear.

853 ~~5.4.~~ Section 379.3671(2)(c)5., prohibiting the unlawful
 854 reproduction, possession, sale, trade, or barter of spiny
 855 lobster trap tags or certificates.

856 ~~5. Section 379.354(16), prohibiting the making, forging,~~
 857 ~~counterfeiting, or reproduction of a recreational license or~~
 858 ~~possession of same without authorization from the commission.~~

859 6. Section 379.404(5), prohibiting the sale of illegally-
860 taken deer or wild turkey.

861 7. Section 379.405, prohibiting the molestation or theft
862 of freshwater fishing gear.

863 8. Section 379.409, prohibiting the unlawful killing,
864 injuring, possessing, or capturing of alligators or other
865 crocodilia or their eggs.

866 9. Section 379.411, prohibiting the intentional killing or
867 wounding of any species designated as endangered, threatened, or
868 of special concern.

869 10. Section 379.4115, prohibiting the killing of any
870 Florida or wild panther.

871 (b) A person who commits a Level Four violation commits a
872 felony of the third degree, punishable as provided in s. 775.082
873 or s. 775.083.

874 (5) ILLEGAL ACTIVITIES WHILE COMMITTING TRESPASS
875 VIOLATIONS OF CHAPTER.-In addition to any other penalty provided
876 by law, a person who violates the criminal provisions of this
877 chapter or rules or orders of the commission by illegally
878 killing, taking, possessing, or selling fish and wildlife as
879 defined in s. 379.101 in or out of season while violating
880 chapter 810 shall pay a fine of \$500 for each such violation,
881 plus court costs and any restitution ordered by the court. All
882 finances collected under this subsection shall be remitted by the
883 clerk of the court to the Department of Revenue to be deposited
884 into the State Game Trust Fund ~~Except as provided in this~~

885 ~~chapter:~~

886 ~~(a) A person who commits a violation of any provision of~~
 887 ~~this chapter commits, for the first offense, a misdemeanor of~~
 888 ~~the second degree, punishable as provided in s. 775.082 or s.~~
 889 ~~775.083.~~

890 ~~(b) A person who is convicted of a second or subsequent~~
 891 ~~violation of any provision of this chapter commits a misdemeanor~~
 892 ~~of the first degree, punishable as provided in s. 775.082 or s.~~
 893 ~~775.083.~~

894 Section 21. Section 379.403, Florida Statutes, is
 895 repealed.

896 Section 22. Subsection (1) of section 379.409, Florida
 897 Statutes, is amended, and subsection (4) is added to that
 898 section, to read:

899 379.409 Illegal killing, possessing, or capturing of
 900 alligators or other crocodilia or eggs; confiscation of
 901 equipment.—

902 (1) A person may not ~~It is unlawful to~~ intentionally kill,
 903 injure, possess, or capture, or attempt to kill, injure,
 904 possess, or capture, an alligator or other crocodilian, or the
 905 eggs of an alligator or other crocodilian, unless authorized by
 906 ~~the rules of the Fish and Wildlife Conservation~~ commission. ~~Any~~
 907 ~~person who violates this section is guilty of a felony of the~~
 908 ~~third degree, punishable as provided in s. 775.082, s. 775.083,~~
 909 ~~or s. 775.084, in addition to such other punishment as may be~~
 910 ~~provided by law.~~ Any equipment, including, but not limited to,

911 weapons, vehicles, boats, and lines, used by a person in ~~the~~
 912 ~~commission~~ of a violation of any law, rule, regulation, or order
 913 relating to alligators or other crocodilia or the eggs of
 914 alligators or other crocodilia shall, upon conviction of such
 915 person, be confiscated by the ~~Fish and Wildlife Conservation~~
 916 commission and disposed of according to rules and regulations of
 917 the commission. The arresting officer shall promptly make a
 918 return of the seizure, describing in detail the property seized
 919 and the facts and circumstances under which it was seized,
 920 including the names of all persons known to the officer who have
 921 an interest in the property.

922 (4) A person who violates this section commits a Level
 923 Four violation under s. 379.401, in addition to such other
 924 punishment as provided by law.

925 Section 23. Section 379.411, Florida Statutes, is amended
 926 to read:

927 379.411 Intentional killing or wounding of any species
 928 designated as endangered, threatened, or of special concern;
 929 ~~criminal penalties. It is unlawful for~~ A person may not ~~to~~
 930 intentionally kill or wound any fish or wildlife ~~of a~~ species
 931 designated by the ~~Fish and Wildlife Conservation~~ commission as
 932 endangered, threatened, or of special concern, or ~~to~~
 933 intentionally destroy the eggs or nest of any such fish or
 934 wildlife, unless authorized by ~~except as provided for in the~~
 935 rules of the commission. A ~~Any~~ person who violates this section
 936 commits a Level Four violation under s. 379.401 ~~provision with~~

937 ~~regard to an endangered or threatened species is guilty of a~~
 938 ~~felony of the third degree, punishable as provided in s.~~
 939 ~~775.082, s. 775.083, or s. 775.084.~~

940 Section 24. Subsection (3) of section 379.4115, Florida
 941 Statutes, is amended to read:

942 379.4115 Florida or wild panther; killing prohibited;
 943 penalty.—

944 (3) A person who violates this section commits a Level
 945 Four violation under s. 379.401 ~~convicted of unlawfully killing~~
 946 ~~a Florida panther, or unlawfully killing any member of the~~
 947 ~~species of panther occurring in the wild, is guilty of a felony~~
 948 ~~of the third degree, punishable as provided in s. 775.082, s.~~
 949 ~~775.083, or s. 775.084.~~

950 Section 25. Paragraph (a) of subsection (2) of section
 951 379.3004, Florida Statutes, is amended to read:

952 379.3004 Voluntary Authorized Hunter Identification
 953 Program.—

954 (2) Any person hunting on private land enrolled in the
 955 Voluntary Authorized Hunter Identification Program shall have
 956 readily available on the land at all times when hunting on the
 957 property written authorization from the owner or his or her
 958 authorized representative to be on the land for the purpose of
 959 hunting. The written authorization shall be presented on demand
 960 to any law enforcement officer, the owner, or the authorized
 961 agent of the owner.

962 (a) For purposes of this section, the term "hunting" means

963 to be engaged in or reasonably equipped to engage in the pursuit
 964 or taking by any means of any animal described in s. 379.101(20)
 965 or (21) ~~379.101(19) or (20)~~, and the term "written
 966 authorization" means a card, letter, or other written instrument
 967 which shall include, but need not be limited to, the name of the
 968 person or entity owning the property, the name and signature of
 969 the person granting the authorization, a description by
 970 township, range, section, partial section, or other geographical
 971 description of the land to which the authorization applies, and
 972 a statement of the time period during which the authorization is
 973 valid.

974 Section 26. Paragraph (d) of subsection (5) of section
 975 379.337, Florida Statutes, is amended to read:

976 379.337 Confiscation, seizure, and forfeiture of property
 977 and products.—

978 (5) CONFISCATION AND SALE OF PERISHABLE SALTWATER
 979 PRODUCTS; PROCEDURE.—

980 (d) For purposes of confiscation under this subsection,
 981 the term "saltwater products" has the meaning set out in s.
 982 379.101(37) ~~379.101(36)~~, except that the term does not include
 983 saltwater products harvested under the authority of a
 984 recreational license unless the amount of such harvested
 985 products exceeds three times the applicable recreational bag
 986 limit for trout, snook, or redfish.

987 Section 27. Paragraph (b) of subsection (4) of section
 988 589.19, Florida Statutes, is amended to read:

989 589.19 Creation of certain state forests; naming of
 990 certain state forests; Operation Outdoor Freedom Program.—

991 (4)

992 (b) Participation in the Operation Outdoor Freedom Program
 993 shall be limited to Florida residents, as defined in s.

994 379.101(31)(b) ~~379.101(30)(b)~~, who:

995 1. Are honorably discharged military veterans certified by
 996 the United States Department of Veterans Affairs or its
 997 predecessor or by any branch of the United States Armed Forces
 998 to be at least 30 percent permanently service-connected
 999 disabled;

1000 2. Have been awarded the Military Order of the Purple
 1001 Heart; or

1002 3. Are active duty servicemembers with a service-connected
 1003 injury as determined by his or her branch of the United States
 1004 Armed Forces.

1005
 1006 Proof of eligibility under this subsection, as prescribed by the
 1007 Florida Forest Service, may be required.

1008 Section 28. Paragraph (h) of subsection (2) of section
 1009 810.09, Florida Statutes, is amended to read:

1010 810.09 Trespass on property other than structure or
 1011 conveyance.—

1012 (2)

1013 (h) Any person who in taking or attempting to take any
 1014 animal described in s. 379.101(20) or (21) ~~379.101(19) or (20)~~,

PCB ANRS 16-02

2016

1015 or in killing, attempting to kill, or endangering any animal
1016 described in s. 585.01(13) knowingly propels or causes to be
1017 propelled any potentially lethal projectile over or across
1018 private land without authorization commits trespass, a felony of
1019 the third degree, punishable as provided in s. 775.082, s.
1020 775.083, or s. 775.084. For purposes of this paragraph, the term
1021 "potentially lethal projectile" includes any projectile launched
1022 from any firearm, bow, crossbow, or similar tensile device. This
1023 section does not apply to any governmental agent or employee
1024 acting within the scope of his or her official duties.

1025 Section 29. This act shall take effect July 1, 2016.